

Report Date: September 11, 2006

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEP 15 2006

JAMES R. LARSEN, CLERK
DEPUTY
CLERK
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Gerald Lloyd Wooley

Case Number: 2:02CR00112-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle

Date of Original Sentence: 01/21/2003

Type of Supervision: Supervised Release

Original Offense: Manufacture of More Than 50
Marijuana Plants, 21 U.S.C. § 841(a)(1)

Date Supervision Commenced: 07/29/2003

Original Sentence: Prison - 5 Months;
TSR - 36 Months

Date Supervision Expires: 07/28/2007

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 20 You shall participate in the home confinement program for 180 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.
- 21 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 22 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 23 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

Prob 12B

Re: Wooley, Gerald Lloyd**September 11, 2006****Page 2****CAUSE**

On August 17, 2006, Gerald Wooley was stopped by the Washington State Patrol. Upon contacting Mr. Wooley, the trooper detected the odor of alcohol. Mr. Wooley admitted to consuming alcohol, and agreed to complete field sobriety tests. Mr. Wooley failed the field sobriety tests. He was taken into custody and transported to the Stevens County Jail, where he submitted to a blood alcohol content test, with results of .120 and .116. Subsequently, he was charged with the offense of driving while intoxicated. Charges remain pending in the Stevens County District Court.

Mr. Wooley reported the above arrest to this officer on August 22, 2006. At that time, he was verbally reprimanded and sanctions were discussed. The modification of Mr. Wooley's conditions of supervision appear warranted and will restrict his activities in the community.

Respectfully submitted,

by

Richard B. Law

U.S. Probation Officer

Date: September 11, 2006

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other

Signature of Judicial Officer

September 14, 2006

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

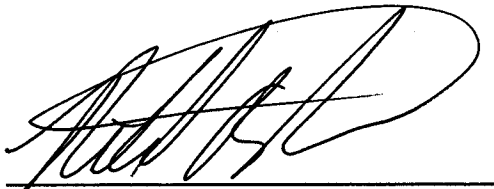
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

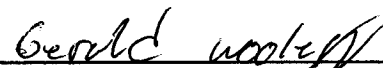
- 20 You shall participate in the home confinement program for 180 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.
- 21 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 22 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 23 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

Witness:



Richard B. Law
U.S. Probation Officer

Signed:



Gerald Lloyd Wooley
Probationer or Supervised Releasee

September 11, 2006

Date